

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DILENIA PAGUADA,	:	
	:	
Plaintiff,	:	20-CV-8922 (VEC)
-against-	:	
	:	<u>ORDER</u>
WHITMORE FAMILY ENTERPRISES, LLC,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on May 17, 2021, the Court ordered Mr. Khaimov to pay \$500 in fines to the Clerk of Court pursuant to Rule 16(f) of the Federal Rules of Civil Procedure for repeated failure to comply with Court Orders and rules, Dkt. 27;

WHEREAS the Court deferred the payment of sanctions for a period of one year, noting that if Mr. Khaimov could comply with all Court orders and rules for the next 12 months without reminders from Chambers, the Court would expunge the sanctions and vacate the sanctions order, *id.*;

WHEREAS Mr. Khaimov was counsel of record for the plaintiff in the case, *Paguada v. FYF-Eve's, LLC*, 20-CV-8268, which was also before the undersigned;

WHEREAS in that matter, the parties' joint pre-conference submission was due on Thursday, June 3, 2021, *see* 20-CV-8268, Dkt. 14 ¶ 10;

WHEREAS no submission was received by the deadline; and

WHEREAS after a reminder from Chambers, Mr. Khaimov filed a notice of voluntary dismissal with prejudice on behalf of his client, *see* 20-CV-8268, Dkt. 16;


IT IS HEREBY ORDERED that Mr. Khaimov is directed to pay \$500 in fines to the Clerk of Court by no later than **Friday, June 11, 2021**. In response to the order to show cause why sanctions should not be imposed (Dkt. 23), Mr. Khaimov represented to the Court that he

had instituted a number of reforms in his office to ensure that there would be no further failures to comply with Court orders. *See* Resp., Dkt. 25. Given his failure to comply with the Order that had been entered in *Paguada v. FYF-Eve's, LLC* just three weeks after his commitment to make those changes, it is apparent that either he did not make the changes, or the changes are wholly inadequate to ensure compliance with Court Orders. The Court forewarned Mr. Khaimov that the sanctions would come due if he was unable to comply with all Court Orders and rules without reminders from Chambers. *See* Order, Dkt. 27. The Court is disappointed that Mr. Khaimov's compliance lasted less than three weeks.

IT IS FURTHER ORDERED that Mr. Khaimov must file proof of payment of the sanctions on the docket in this matter by no later than **Tuesday, June 15, 2021**.

**SO ORDERED.**

**Date: June 7, 2021**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**